

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.03.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.10853 of 2016

and

WMP.No.9472 of 2016

K.John Mary

.. Petitioner

Vs

1. The Government of Tamil Nadu  
Rep.by its Secretary to Government  
School Education Department  
Fort St.George, Chennai - 600 009
  2. The Director of Elementary Educational Officer  
College Road, Chennai -600 096
  3. The District Educational Officer  
Nagercoil, Kanyakumari District
  4. The Assistant Elementary Educational Officer  
Thakkalai Range, Kanyakumari District
  5. St.Joseph Primary School,  
Mallanikarai, Kanyakumari District  
Rep.by its Correspondent.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the second respondent to regularise the petitioner's service as Secondary Grade Teacher with effect from the date of her appointment i.e. 09.7.1973 and pay her the salary and other benefits as Secondary Grade Teacher from 09.7.1973 to 05.10.1988.

For petitioner : Mr.P.Mahalakshmi

For respondents 1to4: Mr.K.J.Sivakumar  
Government Advocate

## O R D E R

The writ petition has been filed by K.John Mary, seeking a writ of mandamus directing the second respondent to regularise her service as Secondary Grade Teacher with effect from the date of her appointment i.e. 09.7.1973 and pay her salary and other benefits as Secondary Grade Teacher from 09.7.1973 to 05.10.1988.

2. The learned counsel for the petitioner submitted that earlier the petitioner and similarly placed persons filed a writ petition in WP.No.23754 of 2007 for the very same relief and this Court, by order dated 19.7.2007, has given a direction to the Director of School Education, Chennai, second respondent herein, to consider their representation in the light of G.O.No.347, School Education Department, dated 15.9.1998. Pursuant to said direction, though the second respondent has issued proceedings dated 02.4.2009 regularising the services of other similarly placed persons, the case of the petitioner has not been considered.

3. This Court is not able to find any justification in the submission made by the learned counsel for the petitioner for the reason that when the second respondent, pursuant to the order passed in WP.No.23754 of 2007, has issued proceedings way back on 02.04.2009 giving benefits to the similarly placed persons, it is not known as to why the petitioner has not taken any steps so far in the manner known to law. The petitioner, without taking any steps, has approached this Court by way of this writ petition, after a lapse of 7 long years. Therefore on the ground of laches itself this Court is not inclined to entertain the writ petition.

The writ petition fails and the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-  
Assistant Registrar(CS III)

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Sub Assistant Registrar

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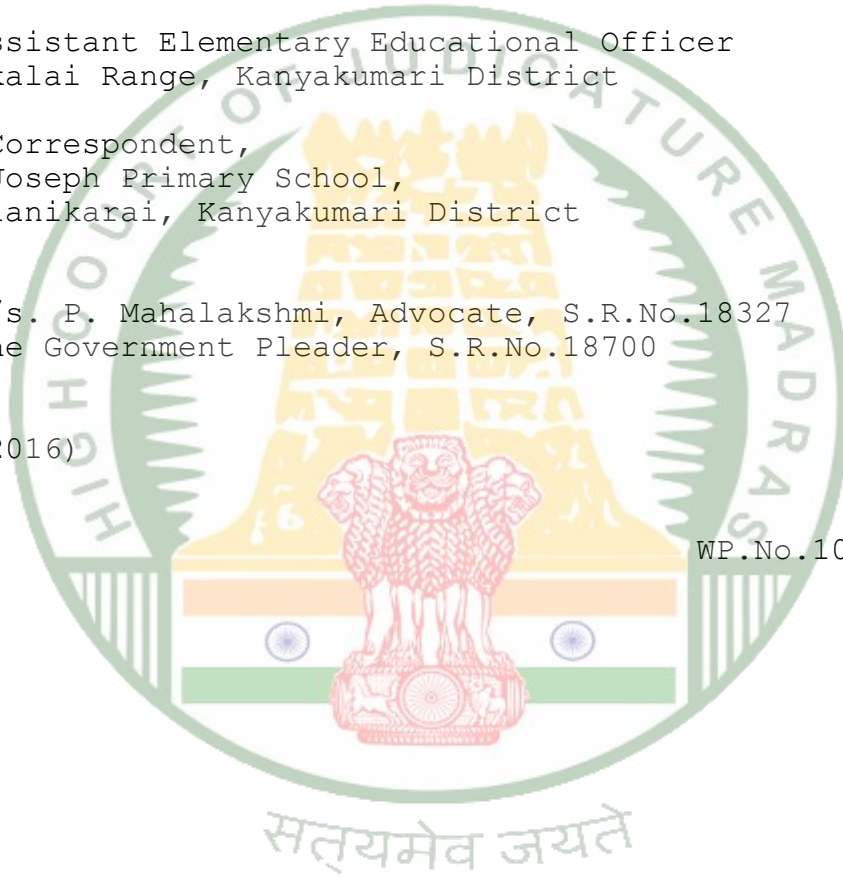
To

1. The Secretary to Government  
School Education Department  
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2. The Director of Elementary Educational Officer  
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Nagercoil, Kanyakumari District
4. The Assistant Elementary Educational Officer  
Thakkalai Range, Kanyakumari District
5. The Correspondent,  
St.Joseph Primary School,  
Mallanikarai, Kanyakumari District

+lcc to M/s. P. Mahalakshmi, Advocate, S.R.No.18327  
+lcc to the Government Pleader, S.R.No.18700

RK(CO)  
EU(13/05/2016)

WP.No.10853 of 2016



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